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California Law Review

Published by the Faculty and Students of the School of Jurisprudence of the University of California, and issued Bi-monthly throughout the Year 

Subscription Price, \$3.50 Per Year

Single Copies, 65 Cents

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MEETING OF THE CALIFORNIA BAR ASSOCIATION

The Eleventh Annual Convention of the California Bar Association was held at Santa Cruz, California, from September 23 to 25, 1920. The program in the main consisted of addresses, reports of sections and committees and discussions thereon. The annual address by Professor Kirkwood, of Stanford University, on "The Ever Increasing Law Reports" was a scholarly and constructive contribution to a subject of much practical importance. The other addresses consisted of one by the retiring president, Mr. Bradner W. Lee, of Los Angeles, and one by Mr. T. T. C. Gregory, of San Francisco, based on his personal experiences in Hungary.

Mr. H. C. Wyckoff, of Watsonville, was elected president for the ensuing year, and Mr. Thomas W. Robinson, of Los Angeles, secretary.

The reports of the various sections of the association presented as usual many interesting and valuable suggestions for the amendment both of substantive and remedial law, chiefly in matters of detail. Much interest centered about the discussion of a report of a special committee appointed to examine the community property laws, submitted to the voters of the state by a referendum petition. The association went on record as opposing the proposed laws as insufficient and unsatisfactory in their present form.

The association unanimously adopted a report of a special committee on the unlawful practice of law by corporations and others, recommending the passage of an act of the legislature to make such practice a misdemeanor. Such an act has already been passed in twenty-three states. The degradation of the professional relation involved in the commercial practice of the law has consequences which reach far into our social life. Organized society is already paying a heavy price in the increasing disrespect in which the law is held for its negligent omission to insist on the highest standards in that profession. The judiciary will inevitably suffer degeneration if the average standard of the lawyer is lowered. Moreover, there is little doubt that the breaking of the personal tie between lawyer and client incident to the interposition of a corporation or other agent between the two is responsible for many evils in our social and economic system.

O. K. M.

Comment on Recent Cases

ADMIRALTY: THE RULE OF DIVIDED DAMAGES AND THE BRUSSELS CONVENTION OF 1910—Critics of the common law, which is harnessed with rules of contributory negligence in tort cases, have often commented upon the greater fairness of the admiralty rule of equally divided damages. The common law, indirectly criticized in this way, has, however, been made less rigorous either by an extension of the "last clear chance" doctrine or by statute. A tendency towards a law which will permit judges or juries to apportion damages according to the degrees of fault has not yet been very marked, although there is some authority and some legislation in that direction.² Meanwhile the admiralty jurists

¹ See 29 Yale Law Journal, 896; 29 Id. 697; 9 Michigan Law Review, 444. See Hepburn, Cases on Torts, 1112, note. A mooted question is whether or not the rules of proximate cause are the same in admiralty as at common law, 18 Harvard Law Review, 537. If admiralty courts will divide damages even when the negligence of one vessel is only remotely causative of the accident, much of the merit of the rule of divided damage disappears. While there are some cases that have so held, usually the same rule has been applied, i. e., the negligence of both vessels must really contribute. A discussion of this interesting question is outside the scope of the present note. See 18 Harvard Law Review, 537; Marsden, Collision at Sea (7th ed.) p. 31.

² But this was done in *Macon & W. R. Co. v. Winn* (1858) 26 Ga. 250, and see 2 Bohlen, Cases on Torts, 1372 note, for legislation to same effect.